IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.M.JOSEPH

THURSDAY, THE 26TH JULY 2007 / 4TH SRAVANA 1929

WP(C).No. 22900 of 2007(A)

PETITIONER:

MATHEW K. CHERIAN, MANAGING DIRECTOR,
M/S. KOSAMATTOM FINANCE (P) LTD.,
BRINDABAN COMPLEX, KOTTAYAM-686 001.

BY ADV. SRI.R.RAMADAS

RESPONDENTS:

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1. KOTTAYAM MUNICIPALITY
REPRESENTED BY ITS SECRETARY,
KOTTAYAM.

2. THE MUNICIPAL SECRETARY,
KOTTAYAM MUNICIPALITY,
KOTTAYAM.

BY ADV. SRI.SIBY MATHEW
SRI.PHILIP J.VETTICKATTU

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 26/07/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

K.M.JOSEPH, J.

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WP.(C) No. 22900 of 2007

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Dated this the 26th day of July, 2007

JUDGMENT

Case of the petitioner in brief is as follows:

Petitioner has purchased a building situated in Kottayam Market landing road. Certain traders are conducting business unauthorisedly without obtaining any license from the Municipality and also by causing hindrance and inconvenience to traffic and users of the street. It is the case of the petitioner that ingress and egress of the petitioner is also affected on account of the illegal trade being carried on in the street. Petitioner submitted Ext.P1 representation. Petitioner produced Exts.P2 and P3 to establish his claim over the property. Petitioner relies on Section 367(3) of the Municipalities Act.

2. I heard learned counsel appearing on behalf of the respondents also.

The writ petition is disposed of with a direction to the second respondent to consider and take a decision on Ext.P1 in accordance with law within a period of three weeks from the date of receipt of a copy of this judgment.

(K.M. JOSEPH, JUDGE)

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